

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PHILIP CARPENTER,	:	CIVIL ACTION NO. 1:08-CV-2233
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
SUPERINTENDENT KLOPTOSKI,	:	
et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 22nd day of December, 2008, upon consideration of plaintiff's motion to appoint counsel (Doc. 5), and it appearing from the complaint (Doc. 1), and the brief in support of the motion to appoint counsel (Doc. 6), which contains appropriate citations to governing authority, that plaintiff is capable of properly and forcefully prosecuting his claims, and that resolution of the facial merit of plaintiff's claims neither implicates complex legal or factual issues nor requires factual investigation or the testimony of expert witnesses, see Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to request for counsel), it is hereby ORDERED that the motion (Doc. 5) for appointment of counsel is DENIED. If further proceedings demonstrate the need for counsel, the matter will be reconsidered either *sua sponte* or upon motion of plaintiff. See id.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge